

FILED

8/25/23 3:06 pm

CLERK

U.S. BANKRUPTCY

COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: : Bankruptcy No. 18-21950-GLT
James Jones and :
Deanne Jones, : Chapter No. 13
Debtors :
Paul W. McElrath, Esquire / : Related to Docket No. 121
McElrath Legal Holdings, LLC, :
Applicant :
vs. : Hearing Date and Time:
Ronda J. Winnecour, Esquire, : September 6, 2023 at 10:00 AM
Chapter 13 Trustee, :
Respondent :

ORDER

This matter is before the Court upon the *Application for Compensation* [Docket No. 121] (the “Application”) filed by Paul W. McElrath, Esquire of McElrath Legal Holdings, LLC. Upon review of the *Application* and finding that no timely responses or objections were filed, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Application* is granted in the amount of \$6,579.50 for fees and expenses incurred during the period of May 10, 2018 through August 7, 2023 (inclusive of projected time to close the case), consisting of fees in the amount of \$6,079.50, and expenses in the amount of \$500.00.
2. The Debtors previously paid counsel an expense retainer of \$500 from which out-of-pocket expenses could be paid during the case. The residual balance of the expense retainer is \$0.00.
3. Previously, counsel was paid the “no look” fee of \$4,000 for services rendered in the case. A portion of the “no look” fee was paid by the Debtor as a prepetition retainer in the amount of \$300, while the remaining balance of \$3,700 is to be paid by the chapter 13 trustee through the Debtors’ confirmed plan.

4. Additional legal fees in excess of the “no look” remain due and owing to McElrath Legal Holdings, LLC in the amount of \$2,079.50. The remaining balance shall be paid as follows:

- a. Fees in the amount of \$1,250.00 shall be paid by the chapter 13 trustee to the extent such fees are provided for in the Debtors’ confirmed chapter 13 plan;
- b. Pursuant to the Application, the remaining fees in the amount of \$829.50 is forgiven.

5. The additional fees authorized by this *Order* may be paid through the Debtors’ chapter 13 plan provided that the Debtors amend their plan within 14 days of the date of this *Order* to increase the plan payment by an amount sufficient to provide for the increased fees. The fees shall be paid from the Debtors’ resources without decreasing the percentage or amount to be paid to other creditors through the plan.

BY THE COURT:



Gregory J. Taddonio, **drb**
Chief United States Bankruptcy Judge

The Clerk Shall Record the Total Award of Compensation in the amount of \$6,579.50 which includes \$6079.50 in Fees and \$500.00 in expenses.

ENTERED BY DEFAULT

In re:
James Jones
Deanne Jones
Debtors

Case No. 18-21950-GLT
Chapter 13

District/off: 0315-2
Date Rcvd: Aug 25, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 27, 2023:

Recip ID	Recipient Name and Address
db	#+ James Jones, 578 Route 917, Scenery Hill, PA 15360-1344
jdb	+ Deanne Jones, 578 Route 917, Scenery Hill, PA 15360-1344

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 27, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 25, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC Bank National Association bnicholas@kmllawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor James Jones ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com
Paul W. McElrath, Jr.	on behalf of Plaintiff James Jones ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com

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Paul W. McElrath, Jr.

on behalf of Plaintiff Deanne Jones ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com

Paul W. McElrath, Jr.

on behalf of Joint Debtor Deanne Jones ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com

Ronda J. Winneccour

cmevf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor Deutsche Bank National Trust Company et al pawb@fedphe.com

Thomas Song

on behalf of Creditor PNC Bank National Association pawb@fedphe.com

Thomas Song

on behalf of Creditor PNC Bank NA pawb@fedphe.com

William E. Craig

on behalf of Creditor Santander Consumer USA Inc. dba Chrysler Capital ecfmail@mortoncraig.com mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

William E. Craig

on behalf of Defendant Santander Consumer USA Inc. dba Chrysler Capital ecfmail@mortoncraig.com mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 13